

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8081 of 2016

Rahul Raj Nanhoriya, S/o. Late Ajit Kumar Nanhoriya, Aged About 42 Years, R/o. Sarkar Patel Ward, Purana Bus Stand, Police Station City Kotwali, Mungeli, District Mungeli, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station Mungeli, District Mungeli, Chhattisgarh.

---- Respondent

For Applicant : Mr. Akhil Mishra, Advocate

For Respondent : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

20/12/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.413/2016 registered at Police Station- Mungeli, District Mungeli (C.G.) for the offence punishable under Sections 420/34, 467, 468, 473, 120-B of Indian Penal Code.
2. Case of the prosecution, in brief, is that the complainant Sukumar, Deelip & Bhagwat made a report against Rajesh Mashih that in order to provide job to their son in the Railway and Police Department, the said persons have charged Rs.7-10 Lakhs and the forged appointment letters were given of Railways of which the seal was prepared by the present applicant. Subsequently, it was found that the seal was bogus, therefore, without the authorization, the applicant has prepared the seal.

3. Learned counsel for the applicant would submit that only allegation against the present applicant is that he has prepared the seal of Assistant Personnel Officer, Railway, when it was asked to Rajesh Mashih and he runs a Rubber Stamp Shop and therefore, the applicant has been deceived and as such he may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail, however, he do not dispute the fact the there is no allegation against the present applicant that he received the money.
5. Perused the case diary and the charge sheet. Considering the degree of allegation against the present applicant and the submission of the State counsel that there is no allegation that the present applicant has received money, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge